

SENATE BILL 831
By Burchett

AN ACT to amend Tennessee Code Annotated, Title 63, Chapter 17, Part 2, relative to hearing instrument specialists.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-17-219(a), is amended by deleting the word "and" at the end of subdivision (5); by deleting the period at the end of subdivision (6) and substituting instead a semicolon and the word "and"; and by adding the following language as a new subdivision to be designated as follows:

(7) Sale or distribution of hearing instruments through mail or mail order.

SECTION 2. Tennessee Code Annotated, Section 63-17-216, is amended by adding the following as new subsections thereto:

(c) It is unlawful for any person to sell or distribute hearing aids through the mail or other such delivery service to the ultimate consumer. Any entity receiving funds from a consumer for the purchase of a hearing aid or hearing aids shall engage in a personal and direct one-on-one aural rehabilitation counseling program to be conducted in the facility of such entity or by an employee of such entity in the purchaser's home. Any person who violates this subsection commits a Class B misdemeanor.

(d) Any hearing instrument or hearing aid that is sold, fitted or dispensed to a consumer in the state of Tennessee shall have the date of the year of manufacture and a serial number permanently etched or affixed to the hearing instrument or hearing aid.

(e) The office of a hearing instrument or hearing aid dispenser, fitter, licensed audiologist or hearing instrument specialist shall have a recent audiogram obtained within six (6) months for each hearing instrument or hearing aid being fitted, dispensed or sold in the state of Tennessee.

SECTION 2. This act shall take effect July 1, 2001, the public welfare requiring it.